

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE PLATINUM-BEECHWOOD LITIGATION

No. 18-CV-6658 (JSR)

MARTIN TROTT and CHRISTOPHER SMITH, as Joint
Official Liquidators and Foreign Representatives of
PLATINUM PARTNERS VALUE ARBITRAGE FUND
L.P. (in OFFICIAL LIQUIDATION) and PLATINUM
PARTNERS VALUE ARBITRAGE FUND L.P. (in
OFFICIAL LIQUIDATION),

No. 18-CV-10936 (JSR)

Plaintiffs,

v.

PLATINUM MANAGEMENT (NY) LLC, et al.,

Defendants.

STIPULATION AND PROPOSED ORDER

WHEREAS, on November 21, 2018, Plaintiffs Martin Trott and Christopher Smith, as Joint Official Liquidators and Foreign Representatives of Platinum Partners Value Arbitrage Fund L.P. (in Official Liquidation) and for Platinum Partners Value Arbitrage Fund L.P. (in Official Liquidation) (collectively, "Plaintiffs") filed the initial complaint ("Complaint") in Case No. 18-CV-10936 (Dkt. 1), naming Naftali Manela ("Manela") as a Defendant.

WHEREAS, on January 18, 2019, Manela waived service of the Complaint.

WHEREAS, on January 23, 2019, Plaintiffs filed an amended complaint ("Amended Complaint") (Dkt. 159).

WHEREAS, on March 15, 2019, the Court ordered that "defendants in this case who are also standing trial, or are set to stand trial, in a related criminal matter in the Eastern District of New York [{"E.D.N.Y. Defendants"}] . . . will not be excused from document production in this

case, but they will otherwise be excused from all discovery obligations until the completion of their trial.” (Dkt. 183). The Court also ordered that, “[t]he deadline for these defendants to answer or move to dismiss (if they have not done so already) is likewise extended until two weeks following the completion of their trial.” (Dkt. 183).

WHEREAS, there has been no previous request for an extension of time for Manela to respond to the Complaint or Amended Complaint.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for the parties, that Manela’s discovery obligations and time to respond to the Amended Complaint should be the same as the E.D.N.Y. Defendants. Accordingly, it is agreed that Manela shall respond to document requests in this case, but Manela will otherwise be excused from all discovery obligations until the completion of the trial in the related criminal matter in the Eastern District of New York, and it is agreed that the deadline for Manela to answer or move to dismiss the Amended Complaint is extended until two weeks following completion of the trial.

IT IS FURTHER STIPULATED AND AGREED, that no provision of this Stipulation and Order shall be construed as a waiver of any party’s claims or defenses, which each party reserves.

Date: New York, New York
March 22, 2019

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SO ORDERED:

HONORABLE JED S. RAKOFF
UNITED STATES DISTRICT JUDGE